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Date Sept. 11, 2006 Signature: Patrice L. Uchno Leland
Patrice L. Uchno Leland

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/780,382
(Attorney Docket No. GP-304129)

Filing Date: February 17, 2004

Applicant: James A. Cole et al.

Group Art Unit: 3726

Examiner: Christopher M. Koehler

Confirmation No. 1821

Title: GAP SETTING TOOL AND METHOD OF OPERATING SAME

Response to Restriction Requirement

Mail Stop Amendment
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In response to the Requirement for Restriction mailed August 16, 2006, Applicants respectfully elect Invention I, drawn to a tool assembly for setting a gap. Applicants elect with traverse.

According to §803 of the MPEP, an entire application must be examined on the merits even though it includes claims to independent or to distinct inventions, if the search and examination can be made without serious burden. Although Inventions I and II are patentably distinguishable from each other, Applicants respectfully submit that the search for both inventions can be carried out without serious burden. It would appear art related to one invention is relevant to the patentability of the other, and that the art would be found in common locations.

Accordingly, Applicants respectfully request that the requirement for restriction be withdrawn and both Inventions I and II be examined together.

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Further favorable consideration is urgently solicited. The Examiner is invited to telephone the undersigned if that would be helpful to resolving any issue.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Lionel D. Anderson", is written over a horizontal line.

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